

OBADIAH DOCTOR, )  
)  
Plaintiff, )  
)  
vs. ) **ORDER**  
)  
N.C. DEPARTMENT OF PUBLIC SAFETY, )  
et al., )  
)  
Defendants. )  
)

*Pro se* Plaintiff Obadiah Doctor filed this action pursuant to 42 U.S.C § 1983 on August 29, 2015. (Doc. No. 1). The Amended Complaint, (Doc. No. 15), passed initial review on claims that several employees of the Lanesboro Correctional Institution exercised excessive force against him and were deliberately indifferent to his serious medical needs. See (Doc. No. 20). He describes the relevant Defendants as Unit Manager/Captain Dennis Marshall, Sergeant C. Parker, Correctional Officer/Prison Guard Melin, Correctional Officer/Prison Guard Hoyle, and Registered Nurse Harris. (Doc. No. 15 at 1-3).

1

On January 3, 2018, the Court ordered the U.S. Marshal to use reasonable efforts to obtain service on the Defendants. (Doc. No. 28). Defendant Barbara Compton, named as “FNU Melin” in the Complaint, was served and has filed a Motion to Dismiss. (Doc. No. 29, 32). However, the remaining Defendants remain unserved.

The Court recently enacted Local Rule 4.3 that sets forth a procedure to waive service of process for current and former employees of the North Carolina Department of Public Safety (“NC DPS”) in actions filed by North Carolina State prisoners. Due to the difficulty the U.S. Marshal is experiencing in attempting service of process, the Court will order the Clerk to commence the procedure for waiver of service as set forth in Local Rule 4.3 for all unserved Defendants who are current or former employees of NC DPS.

**IT IS THEREFORE ORDERED** that:

1. The Clerk of Court shall commence the procedure for waiver of service as set forth in Local Rule 4.3 for all unserved Defendants who are current or former employees of NC DPS.
2. The Clerk is respectfully instructed to mail a copy of this Order to the U.S. Marshal.

Signed: April 5, 2018



Frank D. Whitney  
Chief United States District Judge

